

states may apply for the grant money and original applicants may withdraw or revise their applications, she said.

Details on how to apply for the grants is explained in the *Federal Register* of August 28, 1978. More information on any of the awarded grants or on the Section 28 program grants scheduled for this spring or later is being provided by Bob Janney, EPA's Office of Toxic Substances, 202-755-8040.

Ferriamicide

MISSISSIPPI STILL DEFENDING EMERGENCY EXEMPTION FOR FIRE ANTS

Mississippi was still defending its emergency exemption to use ferriamicide against fire ants as the fourth comment period on the exemption ended March 28.

The Environmental Protection Agency called the latest comment period to allow the public to review new information showing that photomirex, a degradation product of ferriamicide, is extremely toxic (Current Report, March 16, p. 2296).

The Mississippi State Chemical Laboratory said the photomirex used in the Canadian experiments which produced the new data was only 96 percent pure. The toxic effects found may have been due to the remaining impurities, the state said.

Mississippi also said there were other inconsistencies in the Canadian reports and that, in any case, the level of exposure under the emergency exemption would be small.

The state told EPA that "there should be no further restrictions imposed on the existing Section 18 exemption" permitted under the Federal Insecticide, Fungicide, and Rodenticide Act.

American Farm Bureau Federation

The Mississippi position was supported by the American Farm Bureau Federation, which criticized various aspects of the Canadian studies. It argued that "even with a 100-fold difference in effects between photomirex and mirex there would still be adequate margins of safety for EPA to allow this use of ferriamicide."

EDF Objects

The Environmental Defense Fund (EDF) continues to oppose the Mississippi exemption. EDF said that even EPA's own toxicologists no longer support the emergency exemption.

EDF noted that a February 26 memorandum from William Dykstra, of EPA's Hazard Evaluation Division, concludes that "the Section 18 request for use of ferriamicide is not toxicologically supported."

The Dykstra memorandum says new studies show that photomirex "is definitely a more potent hepatotoxin and thymotoxin than either mirex or kepone."

Dykstra also cites evidence showing that "if males are exposed to teratogens before their offspring are conceived, the incidence of birth defects in those offspring may increase." The information is significant because the emergency exemption forbids use of ferriamicide by women of childbearing age to reduce teratogenic risk.

The Dykstra memorandum concludes that "the human hazards which may result from use of ferriamicide are of an inordinate magnitude."

Eight-State Request

EPA held a third comment period, ending April 16, to consider additional comments on the request by eight other southern states to use ferriamicide against fire ants. Only EDF responded.

EDF said it is significant that the "eight states apparently cared so little about the alleged 'emergency' that they, as of April 13, had not submitted a single comment in support of their own petitions during this most recent comment period."

Their failure to submit comments suggests that no real emergency exists, according to EDF.

EDF said new alternatives to ferriamicide are becoming available for use against fire ants. Diazinon has been registered by Ciba-Geigy Corporation for use against fire ants, and the American Cyanamid Company has obtained an experimental use permit for a new control measure, EDF said.

In addition, EDF said, Stauffer Chemical Company has petitioned EPA for an experimental use permit for a new growth regulator for use against fire ants.

EDF criticized the Mississippi and American Farm Bureau Federation attacks on the Canadian studies.

Both "fail to realize that it is they who have the burden of proof for the safety of their product," EDF said.

EPA expects to decide within two weeks whether to rescind the Mississippi exemption, as well as whether to approve the eight-state request, an agency staff member said April 18.

Polychlorinated Biphenyls

FDA REGULATIONS ON PCBs IN FOOD, FIRST PROPOSED IN 1977, DUE THIS YEAR

The Food and Drug Administration is expected this year to set new lower limits on the permissible levels of polychlorinated biphenyls (PCB) in poultry, fish, milk, and eggs.

FDA's proposed regulation on permissible PCB levels in foodstuffs calls for lowering the levels set in a 1973 FDA regulation.

The proposed limits would reduce PCB tolerances in milk and dairy products from 2.5 parts per million (ppm) to 1.5 ppm; in poultry from five ppm to three ppm; in eggs from 0.5 ppm to 0.3 ppm; and in fish and shellfish from five ppm to two ppm.

According to FDA official Sidney Williams, the proposed regulation has been delayed for more than two years by the large volume of comment, both for and against the lower limits.

Williams, who is acting director of the division of chemical technology for FDA's Bureau of Foods, said many of those offering comments on the proposed limits said the new limits are too low.

Chief among this group is the freshwater fishing industry, which FDA estimates would suffer losses of \$7 million in the landed value of fish and \$49 million in the processed value each year if the new lower limits are imposed.

On the other side of the issue, however, are the environmentalists who have urged FDA to set zero as the limit for PCB contamination in food, a limit FDA calls impractical.

One such group, the Environmental Defense Fund, filed suit in the U.S. Court of Appeals for the D.C. Circuit in January charging FDA with undue delay in making final the new limits.

The suit is still pending.

Since 1969, when studies to set the original limits on PCBs in food began, PCB contamination in foods has declined substantially, making the new limits attainable in most cases, FDA officials said.

Fish, however, have showed little if any decline. Charles

F. Jelinek, director of the division of chemical technology for FDA's bureau of foods, said.

Few ocean fish have PCB levels even approaching the proposed FDA limits Jelinek said.

Fresh water fish, on the other hand, show levels in excess of the proposed two ppm limit in hundreds of geographically widespread areas. Many of the contaminated fish, mainly bottom feeders with a high body fat content, are concentrated in the Great Lakes region and in major rivers in the east and in the Mississippi basin.

For example latest readings on Chinook salmon taken from Lake Michigan found PCB concentrations of 4.19 ppm, below the present five ppm limit but more than twice the proposed limit.

Fish whose PCB level exceeds the FDA limits could not be shipped in interstate commerce, FDA officials said. In addition, most states have closed or have considered closing to fishing those bodies of water, where a large percentage of the fish show high PCB levels.

According to Williams, imposition of the new regulations, while they may cause economic hardship, would generally be obeyed by commercial fishermen.

As Williams said, "It would be self-defeating for commercial fishermen to keep fishing in contaminated areas because they couldn't ship the fish."

Our major concern is sports fisherman. The sports fishing industry is a large one in many of the states where the waters are contaminated with PCB's, Williams said.

Since many sports fishermen eat most of what they catch and many eat large quantities of fish, the states would have to assume responsibility for warning fishermen or banning fishing in contaminated areas, Williams said.

According to Jelinek, the proposed regulation could be altered downward as the incidence of PCB's in the environment decreases and makes it practical to do so.

Jelinek said, however, that he expects it will be necessary to monitor for PCB's in food for at least five more years and maybe far longer.

Enforcement

CONRAIL CHARGED WITH NINE WILLFUL VIOLATIONS OF OSH ACT FOR PCB USE

Solidated Rail Corporation was cited for nine alleged willful violations of the Occupational Safety and Health Act involving improper use of polychlorinated biphenyls (PCBs), an Occupational Safety and Health Administration official said April 17.

OSHA proposed \$77,400 in penalties for the alleged violations, the spokesman said.

Conrail, a privately managed corporation established by Congress in 1976, was the target of a three-month long OSHA inspection.

The OSHA spokesman said that the willful citations issued April 6 concerned the locomotive repair shop, or "greenhouse," in Enola, Pa.

The first citation, classed as willful and carrying a \$9,000 proposed penalty, charged that Conrail did not formulate and adopt adequate work practices to limit employee exposure to PCBs.

The second willful citation, also with a \$9,000 proposed penalty, alleged that Conrail failed to provide hygiene facilities and practices in areas where PCBs were used, specifically in a greenhouse. A third willful citation with \$9,000 proposed in penalties charged the company with failing to develop emergency procedures in PCB work areas where emergencies could occur. The citation noted that

evacuation, cleanup, and limitation of access procedures should be applied in areas subject to PCB leaks or spills.

Another willful citation and \$9,000 proposed penalty alleged the corporation failed to develop a program informing employees of the hazards of PCB exposure. Conrail also failed to undertake an appropriate medical surveillance program for employee exposure to PCBs, according to another willful citation with a \$9,000 proposed penalty.

The sixth willful citation, with a \$5,400 proposed penalty, charged Conrail with not affixing warning labels in prominent locations on PCB storage containers and failing to display warning placards in PCB work areas. A seventh citation, classed as willful and carrying a \$9,000 proposed penalty, alleged failure to prohibit the carrying, storage, or use of tobacco products in PCB work areas, permitting employees to consume food and beverages in areas exposed to toxic materials, and allowing employees to store food and beverages in areas exposed to toxic materials.

Another willful citation and \$9,000 proposed penalty charged failure to require the use of protective equipment suitable to the nature of the hazard, such as impervious boots and aprons, and failure to require the use of protective eye and face equipment. The OSHA spokesman said PCBs pose an eye and skin contact hazard, and face shields and or goggles should be used.

The final willful citation, with \$9,000 in proposed penalties, charged Conrail with failure to establish a program to determine employee exposure to airborne concentrations of PCBs and failure to develop and maintain environmental monitoring records. The citation also alleged failure to consider the PCB concentrations in selecting respirators, contrary to proper selection procedures under the American National Standards Institute standards.

Contest Filed

A spokesman for Conrail confirmed that the corporation received the OSHA citations. He said notice of contest was filed during the week of April 9.

The spokesman said Conrail will conduct its own investigation into the conditions alleged by OSHA. If its investigation reveals that the corporation is not in compliance with federal regulations, "we will bring ourselves into compliance," he added.

Health Hazards

GAO SAYS SLOW AND FAULTY TESTING LEAVES CHEMICAL RESIDUES IN MEATS

A General Accounting Office report issued April 17 says the U.S. Department of Agriculture, the Food and Drug Administration, and the Environmental Protection Agency are doing an ineffective job of preventing drug and chemical residues in marketed meats and poultry.

The report says about 14 percent by dressed weight of the meat and poultry sampled by the Department of Agriculture between 1974 and 1976 contained illegal residues.

Among the residues are various animal drugs, insecticides and pesticides, and environmental contaminants, the report says. Many of them are known or suspected of causing cancer, birth defects, gene mutations.

The 14 percent figure reported by GAO is far higher than the 2 percent level the Agriculture Department says it finds.

GAO criticized all three agencies for monitoring only 46 of 143 drugs and pesticides likely to harm humans if residues are present in meat and poultry.

It also says slow testing programs and restrictive enforcement regulations allow most of the contaminated meats to